

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT

DYNEGY MARKETING AND TRADE, LLC

DOCKET NO. 23-27-NG

ORDER GRANTING BLANKET AUTHORIZATION
TO IMPORT AND EXPORT NATURAL GAS
FROM AND TO CANADA AND MEXICO

DOE/FECM ORDER NO. 4981

MARCH 12, 2023

I. DESCRIPTION OF REQUEST

On February 22, 2023, Dynegy Marketing and Trade, LLC (Dynegy Marketing and Trade) filed an application with the Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) requesting blanket authorization under section 3 of the Natural Gas Act (NGA)¹ for the authority summarized in the list below. The applicant requests the authorization for a two-year term beginning on March 27, 2023.² Dynegy Marketing and Trade is a Delaware limited liability company with its principal place of business in IRVING, Texas.

1. Import natural gas from Canada by pipeline at any point on the border between the United States and Canada
2. Import natural gas from Mexico by pipeline at any point on the border between the United States and Mexico
3. Export natural gas to Canada by pipeline at any point on the border between the United States and Canada
4. Export natural gas to Mexico by pipeline at any point on the border between the United States and Mexico

Import and export authority was requested for up to a combined total volume equivalent to 200 billion cubic feet (Bcf) of natural gas.

1. Authority to regulate the imports and exports of natural gas, including liquefied natural gas, under section 3 of the NGA (15 U.S.C. § 717b) has been delegated to the Assistant Secretary for FECM in Redelegation Order No. S4-DEL-FE1-2022, issued on June 13, 2022. On July 4, 2021, the Office of Fossil Energy changed its name to the Office of Fossil Energy and Carbon Management.

2. Dynegy Marketing and Trade's blanket authorization, granted in DOE/FE Order No. 4660, extends through March 26, 2023.

II. **FINDING**

DOE has evaluated the application to determine if the proposed import and/or export arrangements meet the public interest requirement of section 3 of the NGA, as amended by section 201 of the Energy Policy Act of 1992 (Pub. L. 102-486). Under NGA section 3(c), imports and exports of natural gas, including liquefied natural gas (LNG), from or to any country with which the United States has entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas and the import of LNG from other international sources are deemed to be consistent with the public interest.³ DOE must grant such applications without modification or delay.⁴ The authorization sought by Dynegy Marketing and Trade meets the NGA section 3(c) criteria, and, therefore, is deemed to be consistent with the public interest.

ORDER

Pursuant to section 3(c) of the NGA, it is ordered that:

A. Dynegy Marketing and Trade is authorized for the activity described in the list below. This authorization shall be effective for a two-year term beginning on March 27, 2023, and extending through March 26, 2025.

1. Import natural gas from Canada by pipeline at any point on the border between the United States and Canada
2. Import natural gas from Mexico by pipeline at any point on the border between the United States and Mexico
3. Export natural gas to Canada by pipeline at any point on the border between the United States and Canada
4. Export natural gas to Mexico by pipeline at any point on the border between the United States and Mexico

The applicant is authorized to import and export up to a combined total volume equivalent to 200 Bcf of natural gas.

3. 15 U.S.C. § 717b(c).

4. *Id.*

B. **Monthly Reports:** With respect to the imports and/or exports authorized by this Order, Dynegy Marketing and Trade shall file with the Office of Regulation, Analysis, and Engagement, within 30 days following the last day of each calendar month, a report on Form FE-746R indicating whether imports and/or exports have been made. Monthly reports must be filed whether or not initial deliveries have begun. If no imports and/or exports have been made, a report of "no activity" for that month must be filed. If imports and/or exports have occurred, the report must provide the information specified for each applicable activity and mode of transportation, as set forth in the Guidelines for Filing Monthly Reports. These Guidelines are available at: <https://www.energy.gov/fecm/guidelines-filing-monthly-reports>.

(Approved by the Office of Management and Budget under OMB Control No. 1901-0294)

C. The first monthly report required by this Order is due not later than April 30, 2023, and should cover the reporting period from March 27, 2023 through March 31, 2023.

Issued in Washington, D.C., on March 12, 2023.

Amy R. Sweeney

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Director, Office of Regulation, Analysis, & Engagement

Office of Resource Sustainability

Digitally signed by Amy R. Sweeney. Date: 2023.03.12 10:04:25 -04:00